

Appl. No. 10/613,343
Amendment to Office Action of 05.19.2005

Remarks:

In the Specification:

The first paragraph of page 2 has been replaced with a similar paragraph including the serial numbers and patent number (as applicable) of the related applications.

The second paragraph on page 3 beginning on line 24 has been replaced with a similar paragraph adding the verb "is" to the second sentence thereof that was inadvertently omitted at the time of filing.

In the Claims:

Claims 16-17 and 21-28 have been canceled without prejudice. New claims 29-37 have been added.

Independent Claim 1 and Associated Dependant Claims: Claim 1 and its dependent claims have been allowed and are unchanged except for claim 2, which has been amended to correct an antecedent basis error.

Independent Claim 10(as amended) and Associated Dependant Claims: Claim 10 has been amended to incorporate the limitations of dependent claim 17, which has been canceled. Claim 17 was found to contain allowable subject matter. Accordingly, claim 10 and all its associated dependent claims are in condition of allowance.

New Independent Claim 30 and Associated Dependent Claims: Claim 30 comprises limitations substantially similar to those of allowed claim 1 and accordingly is believed to be in a condition of allowance for at least all of the reasons claim 1 is allowable. Specifically, claim 30 differs from claim 1 only in that the attachment section of claim 30 is "adapted to couple a tube of a bicycle without the use of a clamping mechanism"; whereas, the attachment section of claim 1 is "adapted to couple with a seatpost of a bicycle without the use of a clamping mechanism".

Appl. No. 10/613,343
Amendment to Office Action of 05.19.2005

Independent Claim 18 (as amended) and Associated Dependent Claims: Claim 34 recites a device for securing a front bicycle wheel of a bicycle to the bicycle when the bicycle is attached to a vehicle mounted bicycle rack for transport. The device comprises both (i) a seatpost attachment mechanism that couples with the shaft of a seatpost without the use of a clamping mechanism, and (ii) a bicycle wheel attachment mechanism for securing the front bicycle wheel thereto.

The Examiner rejected claims 18-20 as being anticipated under 35 USC 102(b) by Lin (5,190,345). The applicant respectfully disagrees. Specifically, claim 18 requires that the claimed device include a bicycle wheel attachment device "adapted to secure the front bicycle wheel to the device". The bicycle seat bag taught in Lin is much too small to secure a front wheel of the associated bicycle therein. Accordingly, the Lin reference cannot anticipate claim 18.

The Examiner might be tempted to reject claim 18 as being obvious in partial view of Lin. However, such a rejection would fail to satisfy the requirements for prima facie obviousness. If the bag of Lin is modified to be large enough to hold a front wheel of the associated bicycle, it would no longer be functional for its intended purpose: carrying cargo while the bicycle is being ridden. First, a large bag with a front wheel enclosed therein would extend outwardly of the seat so substantially as to hinder the ability of a rider to ride the bicycle. Specifically, the rider's legs would constantly hit the bag making pedaling annoying, unpleasant and difficult if not impossible. Second, the mechanism taught for attaching the bag to the bicycle could not firmly secure a large bag with a front wheel therein since the wheel would be unacceptably cantilevered behind the seat post and seat rails. The wheel would therefore sway back and forth which would not only cause the wheel to swing into the backside of the rider's legs but also the motion of the highly cantilevered load could negatively affect the bicycle's stability. Consider that a typical front wheel weighs about 2.5 lbs or more and that the location of the bag will typically be well over 2 feet above the ground. Simply, there is no motivation for modifying a seat bag, such as taught in Lin to make it large enough to hold a bicycle wheel.

For at least all of the foregoing reasons, claim 18 (as amended) and its dependent claims are not anticipated or rendered obvious by Lin either alone or in combination with other references. Accordingly, claim 18 and its dependents are in a condition of allowance.

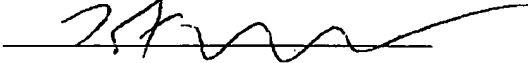
Conclusion

Appl. No. 10/613,343
Amendment to Office Action of 05.19.2005

The applicant believes the objections and the rejections of the Office Action have been overcome through amendment and remark. Accordingly, the application and all pending claims are in a condition of allowance. The Examiner is respectfully requested to contact the undersigned at 303.768.0644 if there are any other outstanding issues that would prevent the expeditious issuance of a Notice of Allowance in this case.

Dated this 13th day of July, 2005

Respectfully submitted,



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